

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

24-W-REZ-8 ZONE MAP AMENDMENT
Adam & Sarah Poorman
7450 E. 700 South

DECEMBER 18, 2024
AGENDA ITEM: 3

SUMMARY OF PROPOSAL

Current zoning: AG, Agricultural
Proposed zoning: VC, Village Commercial
Property area: 10± acres

The petitioners, owners of the subject property, are requesting a zone map amendment for their property located at 7450 East 700 South in Section 13 of Jefferson Township. The requested zoning for the subject property is VC, Village Commercial.

Existing zoning classifications and land uses

Currently, the subject area is zoned AG, Agricultural. The property is used for a single-family residence, with agricultural/residential outbuildings. The petitioner has in the past kept livestock on the property. An approximately 1.6-acre pond is located in the middle of parcel.

The following table lists current zoning classifications and land uses for the surrounding general area:

	<i>Current zoning</i>	<i>Current land use</i>
<i>North</i>	AG	[700 South], agricultural (field), residence
<i>East</i>	AG	Agricultural (field), residence, woods
<i>South</i>	AG	Agricultural (field)
<i>West</i>	AG	Residence, agricultural (field)

Proposed land use

The petitioner is requesting this zoning amendment to establish an event center/reception hall use. The petitioner would continue to reside on the property.

Zoning code criteria

The zoning code states that “banquet hall” is a special exception use of the VC district and a permitted use of the GC, General Commercial, district. Event centers and reception halls have previously been determined to be included in the banquet hall term. Such uses are generally defined as facilities that are primarily available for rent by private parties for gatherings such as weddings, banquets, and similar events.

The below table lists the current and proposed land uses on the property, and the permissibility of each in the current AG, the proposed VC, and the reference GC districts:

<i>Uses (current/proposed)</i>	<i>Current AG zoning</i>	<i>Proposed VC zoning</i>	<i>GC zoning (for reference)</i>
Livestock raising/crop cultivation/agriculture	Permitted	Permitted by right to farm law	Crops are permitted; others permitted by right to farm law
Single-family residence	Permitted	Special exception	Special exception
Banquet hall (event center)	Not permitted	Special exception	Permitted

As has been discussed in some prior rezoning requests, the VC district is the next higher intensity zoning district for commercial uses from AG. It has a more limited palette of permitted commercial uses than GC, but far more than the number permissible in AG. The development standards are generally designed for compatibility in more dense, small-town settings. The Commission should evaluate the complete list of uses for compatibility on the site, and not merely focus on the proposed use. If necessary, requesting zoning

commitments to limit some incompatible but otherwise permissible uses, or to provide mitigation of some uses, can be an appropriate component of the Commission's recommendation to the Commissioners.

REVIEW CRITERIA

Indiana Code §36-7-4-603 and Section 12.2(F) of the zoning ordinance state the criteria listed below to which the Commission must pay "reasonable regard" when considering amendments to the zoning ordinance. Staff's comments are under each criterion.

1. The most recently adopted Comprehensive Plan;

The 2022 Comprehensive Plan describes the Future Character and Land Use plan as "the overall look and feel of a place—the impression it makes on residents and visitors and the qualities of buildings and spaces that make it different from other places." The plan describes community character "to help guide growth and change to support places that are attractive, draw people to want to spend time there and are compatible with adjacent areas, without being overly specific to every parcel's individual land use." So, the Plan emphasizes that the overall character of an area, while making allowances for some deviations that would not be detrimental to the overall area.

For the subject property, the Future Character is designated as Mixed Rural. For this character type, the primary character of the area already includes noticeable residential development, with additional development expected, although the area should still be "recognizably rural" over the planning timeframe. The Mixed Rural character is somewhat higher intensity than the Rural-Agricultural character, with "contextually-sensitive" new low- to moderate-intensity residential development to be anticipated alongside agricultural uses.

Specific to commercial uses, the Mixed Rural character suggests some commercial/retail uses can be expected as secondary uses. Such uses should be "appropriately-located" "local scale" commercial that meets immediate local needs. Staff suggests examples of "local scale" commercial may be a convenience store, restaurant, bank, small retail, medical office, or personal services. Generally, such uses are permitted uses of the VC district, although the scale may be variable based on a particular site.

Comparing these character types with zoning districts, it may be considered that the commercial uses listed in the AG district are generally in character for the Rural-Agricultural type, while the Mixed Rural character could have some more intense commercial uses, such as those in the VC district or possibly the GC district, depending on the location and context. In any case, the location of commercial uses should be scrutinized during rezoning or special exception proceedings to ensure that the expected future character of the area will be maintained.

2. The current conditions and the character of current structures and uses in each district;

The area surrounding the subject parcel is primarily agricultural, with undivided fields of 40 to 100 acres being common. Approximately 16 residences located in the mile square surrounding the site, of which five (not including the subject property) front onto 700 South. The nearest residence is about 130' to the west of the subject property. These residences are located on properties varying in size from 2.9 to 20 acres and up.

Looking farther out, there is development north from the site along State Road 14. Legacy Preserve subdivision and the Paddock event center both lie just over a mile north of this property. To the east, in Allen County, many major residential developments are just over a half mile from the

subject site; however, the nearest large commercial development is a mile and a half away, also located on SR 14. The other two directions are primarily agricultural with some residences along the road frontages. The nearest major subdivision in Whitley County is Westfield Passage, a mile south of the site.

The VC district is intended to be used in developed areas, such as unincorporated small towns, and so the permissible uses are likely more compatible with both residential and agricultural areas than the GC district. However, the Commission should consider whether any of the commercial uses permitted in VC would be appropriate at this location given the surrounding area.

3. The most desirable use for which the land in each district is adapted;

As suggested by the comprehensive plan, some appropriate local commercial activity within Mixed Rural areas may be expected or encouraged. The rezoning to VC would permit some commercial activity, with options for higher-intensity commercial permissible by special exception, such as the intended event center. Since the site is only ½ mile from the major developments in Allen County, and a mile from SR 14, while still being in a rural area, there likely is desirability for the petitioner's proposed event center use.

However, the accessibility to the site via 700 South, a gravel road, is not as desirable for commercial uses permitted in VC as a paved road, and a collector road would be more desirable. Likewise, the property's location in the center of the "block" is generally not as desirable for commercial uses as a corner property, although every site and mix of uses is unique.

4. The conservation of property values throughout the jurisdiction;

The impact on immediately surrounding properties of permitting commercial uses at this site could be negative or positive, depending on the nature of the specific use and the surrounding property owners' impression of the potential commercial uses. That is, some uses that are allowed in VC would likely have no adverse performance effects (e.g., traffic, noise, lighting, etc.) on the surrounding properties, while others could have more extensive effects. The proposed event center would be such a more intense use, which is why it is listed as a special exception needing further review by the BZA.

The Commission should review the permitted uses of VC and weigh the effects of each on the immediate area and the jurisdiction as a whole to evaluate whether property values will be conserved. As discussed above, the Commission may also consider requiring zoning commitments to limit the permitted uses only to those most appropriate for this site or to mitigate noxious effects.

5. Responsible development and growth;

At 10 acres, this property is of sufficient area to allow reasonable development of VC commercial uses, even on well and septic. Sanitary sewer is available near 800 East, and it is the petitioner's intention to connect the proposed event center to the public sewer. Depending on the design of the sewer, connections may be available to intervening property owners.

As discussed above, the location of the site on a gravel road should be considered. Based on the proposed floor area and maximum attendance, approximately 75-150 parking spaces will be required. Assuming this is the traffic generated by each event, that would be approximately 150 to

300 additional trips per event. Traffic counts are not available for this road, but assuming 10 trips per day per residence on the road, a likely count is around 80 trips per day. Based on these assumptions, the proposed use would double to nearly quadruple existing traffic counts on event days. Comparatively, a church use could be established by special exception in the existing AG district that could also have very similar traffic generation figures. Other probable VC uses that might locate on this site (e.g., beauty shop, antique shop, automobile repair, contractor office, etc.) generally have lower trip generation rates than the event center or church uses. The Commission should consider whether any effects of traffic are related to the proposed commercial zoning or are more related to the specific proposed use that could be addressed with special exception review.

Again, the Commission may request or require reasonable commitments as part of the rezoning if doing so would help to ensure responsible development.

6. **The public health, safety and welfare.**

Establishment of commercial uses on this property, be it the proposed use or any of the permissible uses of the VC district, may have impact on the safety of 700 South by increasing traffic of varying amounts. This might be able to be addressed with reconstruction of the road or other measures that are deemed necessary by the County Engineer and Highway Director. Otherwise, commercial uses of the VC district do not typically affect public safety.

Public health would not likely be affected given the intention to connect to public sewer, the lower intensity of the uses permissible in VC, and the adequate size of the property for many of those uses.

Public welfare could be negatively impacted if this rezoning is effectively for this particular property owner and not generally applicable to other similar sites (i.e., “spot zoning”). However, it could be positively impacted if the rezoning allows for the public convenience and appropriate measures are taken to mitigate any adverse effects. So, the Commission will need to judge the appropriateness of the request both at the site level and the community as a whole.

Date report completed: 12/11/2024

PLAN COMMISSION ACTION

Motion: _____ By: _____ Second by: _____
Favorable recommendation _____
Unfavorable recommendation _____
No recommendation _____
Conditions/Commitments? _____

Vote:	Baker	Banks	Drew	Emerick	Green	Hodges	Johnson	Kurtz-Seslar	Wolf
<i>Yes</i>									
<i>No</i>									
<i>Abstain</i>									

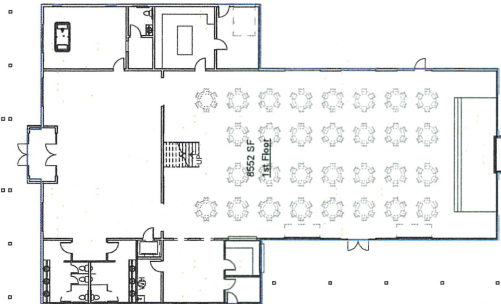


A NEW CONSTRUCTION PROJECT FOR
POORMAN EVENT VENUE
7450 E 700 S :: Columbia City, IN, 46725



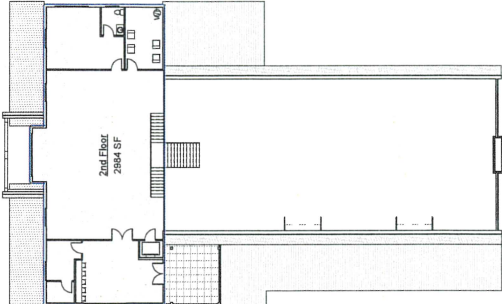
 Schematic Site Plan
1" = 60'-0"

First Floor Area Plan



Area Schedule (Gross Building)		
Name	Area	
1st Floor	8,552 SF	
2nd Floor	2,884 SF	
Grand total	11,436 SF	

Second Floor Area Plan



A NEW CONSTRUCTION PROJECT FOR
POORMAN EVENT VENUE
7450 E 700 S :: Columbia City, IN, 46725

PROJECT NO. 2445
DATE 10/30/2024

SHEET TITLE
This Sheet
SHEET NUMBER
A100



PRELIMINARY
NOT FOR
CONSTRUCTION

Brent Bockelman

From: Adam Poorman <adam.poorman@gmail.com>
Sent: Thursday, November 7, 2024 1:34 PM
To: Brent Bockelman
Subject: Re: [External] County Contacts
Attachments: Poorman Venue_10-30-24.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Brent,

Hope you are well this week.

See attached and below information related to the rezoning request for our property / business at 7450 E 700 S as a VC District special provision.

- Business Identity: Timothy May Estate, LLC
- 8000+ square ft. commercial private event space / wedding venue
- Up to 300 seated guests maximum / event
- Ideally ~2 events per week, or 8 per month maximum
- Planned parking lot of 125-150 spaces
- Will not be freely open to public - only open by approved reservation, scheduled visit or invite only
- 1 set of M/F restrooms, 3 private single restrooms in both bridal party suites and office
- Wet kitchen space for catering warming /prep (will NOT be cooking on-site or selling food as an official service of the venue)
- Utilities: Separate Northeast REMC power meter, LP Gas, separate well water access, and connection to Allen County city sewer (no septic)
- Will submit for liquor license (serving beer, wine & liquor as part of purchased event packages)
- Similar wedding & reception business / commercial operations in the county: Union 12, The Paddock & Joseph Decuis.

Please let me know if there is anything else specific you need or that would be helpful – happy to provide whatever needed!

Looking forward to being on the December agenda for the review hopeful approval!

Let me know if you have any templates or suggestions you may have for preparing to present the plan.

Thanks again,

Adam Poorman
574-377-6583